REMARKS

Claims 1-18 are pending in the application.

Personal Interview

Applicants appreciate the Examiner for his time and effort in conducting a personal interview with Applicant's representative Mr. Maki Hatsumi on March 28, 2006.

During the interview, original claim 1 and cited prior art of record were discussed. Applicant's representative argued that in the claimed invention of the present application, the print control means is provided in the host machine rather than in the printer as taught by Hori (USP 5,847,726).

The Examiner stated that he would consider the Hori reference upon receiving an amendment.

Further, proposed changes to claim 1 (claim 1-C attached to the Interview Summary) was also discussed.

The following patentability arguments have been made in accordance with the outcome of the discussion during the personal interview. In view of these arguments, the Examiner is respectfully requested to withdraw the art grounds of rejection and allow all the pending claims, or at least withdraw the finality of the Office Action and issue a new Office Action.

Specification and Pending Claims

Minor changes have been made to the specification and the pending claims to place them in better form for U.S. practice.

Claim Rejections – 35 U.S.C. § 103

Claims 1-18 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Hori (USP 5,847,726) in view of Mizutani (USP 6,078,400). This rejection is respectfully traversed.

The Examiner alleges in page 5 of the Office Action that:

Hori teaches a host machine provided with a print control means which (a) reads out the completion time from the ink-jet printer at the start of a printing operation, (b) compares it with the current time, and (c) selectively issues an execution order of a recovery treatment to the ink-jet printer based o the result of the comparison.

However, with regard to the foregoing (a), Applicants respectfully submit that, in Hori, the host computer retrieves the preceding printing time from memory area 34B in the host computer (see Fig. 4, S2 and col. 6, lines 60-61) and not "from the ink-jet printer" as required in claim 1.

Further, with regard to the foregoing (c), the host computer of Hori merely outputs, to the ink-jet printer, a second period, which is a time difference between the latest printing time and the current time (see Fig. 4, S4 and col. 6, lines 34-65). The second period is output to the printer every time the host computer issued a print command (S6).

As illustrated in the embodiment shown in Fig. 5, the printer of Hori receives the second period from the host computer (S14), compares it with the first period (time period from power on of the printer) (S17), and if the first period is shorter than the second period, the second period is rewritten an the first period (S18). If the first period is greater than a predetermined period (S20), the purging operation is executed (S21).

As illustrated in the embodiment shown in Fig. 7, the printer of Hori receives the second time instant (i.e., the actual time) from the host computer (S114) and also retrieves the first instant (time from preceding purging timing) from memory area 124C in the printer (S115). When the first time instant is not equal to or later than the second time instant (S117), the second time instant is rewritten as the first time instant (S118), and the time elapsing period (current time – latest purging time) is computed (S119). When the elapsing period is greater than a predetermined period (S120), the purging operation is executed (S121).

In view of this, Applicants respectfully submit that Hori does not:

(1)   Read out the completion time from the ink-jet printer at the start of a printing operation, as required in claim 1. In Hori, the printer receives the time elapsed from the preceding printing time (i.e., the second period) from the host computer; and

(2)   Selectively issue an execution order of a recovery treatment to the ink-jet printer comparing the obtained inactive time with a predetermined reference time period. In Hori, the host computer outputs the second period (present time – latest printing time) every time a printing process is executed. It is the printer that issues

an execution order of a recovery treatment by comparing an elapsing period with

a predetermined period (S120) and not the host computer.

Accordingly, Hori fails to disclose or suggest the "host machine" as recited in claim 1.

Mizutani discloses the concept of sharing a single ink-jet printer with a multiple host

computers.

Therefore, even assuming that Hori and Mizutani can be combined, which Applicants do

not admit, one of ordinary skill in the art would merely conceive a single ink-jet printer shared

by multiple host computer, as disclosed by Mizutani, each of which merely reads out the

completion time from the ink-jet printer at the start of a printing operation, compares it with the

current time, and selectively issues an execution order of a recovery treatment to the ink-jet

printer based o the result of the comparison, as disclosed by Hori.

Hori and Mizutani, taken singly or in combination, fails to disclose or suggest multiple

host machines, each of which including "print control means for reading out the completion time

from the ink-jet printer at the start of a printing operation, comparing the read out completion

time with the current time, and selectively issuing an execution order of a recovery treatment to

the ink-jet printer based on the result of the comparison," as recited in claim 1.

Claims 2-18, variously dependent on claim 1, are allowable at least for their dependency

on claim 1.

The Examiner is respectfully requested to reconsider and withdraw this rejection.

Conclusion

Accordingly, in view of the above amendments and remarks, reconsideration of the rejections and allowance of the pending claims in the present application are respectfully requested.

The Examiner is respectfully requested to enter this Reply After Final in that it raises no new issues. Alternatively, the Examiner is respectfully requested to enter this Reply After Final in that it places the application in better form for Appeal.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Maki Hatsumi (#40,417) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or to credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Dated: April 12, 2006

Respectfully submitted,

By _____ (reg.#40,417)
Charles Gorenstein, Reg. No. 29,271
BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Road, Suite 100 East
P.O. Box 747
Falls Church, Virginia 22040-0747
(703) 205-8000
Attorney for Applicant